

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

The originally filed abstract has been deleted and a new abstract in compliance with all formal requirements has been entered by the instant amendment.

The cancellation of claims 6 and 7 render the drawing requirements made by the examiner moot.

Claim 1 has been amended so as to comply with the formal requirements of 35 U.S.C. 112, second paragraph and to include the subject matter of previously filed dependent claim 3. It is submitted that amended independent claim 1 and the claims which depend therefrom patentably define over the art of record for the reasons set forth hereinbelow.

The examiner in his office action rejected previously submitted claims 1 and 3 under 35 U.S.C. 102 as being anticipated by U.S. Patent 5,628,578. Applicants respectfully request the examiner to reconsider his rejection. It is respectfully submitted that the examiner has misinterpreted the '578 reference. In the sentence bridging Pages 3 and 4 of the office action the examiner states that "...the two clamping jaws engage around a section of the other component after the coupling piece has been pivoted about the axis of

articulation...". It is respectfully submitted that the examiner is in error with regard to this statement. In the '578 document the articulation offered by the bearing holes 62 is part of a "journal cross" during service but not for assembly. The examiner's attention is directed to column 4 line 61. For assembly, the shaft portion 16 of the '578 patent is introduced axially into the block 12. In this regard see the splined shaft ends. The axial introduction noted above with regard to the '578 document must be precise or the bolt 18 is incapable of passing into notch 76. In order to ensure precision the bolts 68 cooperate with the grooves 42 as mere stops when axially introducing the block. The groove 12 is not in the shape of a circular arc and does not widen in a funnel shape manner contrary to the examiner's assertion on Page 4 paragraphs 3 and 4 of his office action. Amended independent claim 1 now sets forth the features of previously submitted dependent claim 3. Specifically, claim 1 now sets forth that "...the groove (15) widens in a funnel-shaped manner following the end section (17) toward the end (18) remote from the end position." This structure is not at all shown or taught by the '578 patent. Accordingly, it is respectfully submitted that amended independent claim 1 and claims 2, 4, 5 and 8-13 which depend therefrom are patentable over the cited prior art references.



An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,


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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 13, 2005.


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